



JAMES A. NOYES, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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April 29, 2004

IN REPLY PLEASE  
REFER TO FILE:

**MP-2  
20.041**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**WALNUT CREEK - PARCEL 289, AFFECTS PARCELS 292 AND 473  
FIRST AMENDMENT TO LEASE NO. 25970 - CITY OF WEST COVINA  
SUPERVISORIAL DISTRICT 5  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY  
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:**

1. Approve the enclosed First Amendment to Lease No. 25970 (Amendment) between the Los Angeles County Flood Control District and WCPP-LK, LLC, and WCPP-CT, LLC. The leased premises, Walnut Creek, Parcels 289, 292, and 473, is located at the southwest corner of West Covina Parkway and California Avenue, in the City of West Covina.
2. Instruct the Chairman to sign the enclosed Amendment and authorize delivery to the Lessee.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On July 29, 1975, Synopsis 56, your Board approved a Lease Agreement with CAL-PARK Shopping Center, Ltd., to construct a cover over Walnut Creek in the City of West Covina and to provide additional parking space for the retail center on the adjacent property at the southwest corner of West Covina Parkway and California Avenue. The Lease was subsequently assigned to WCPP-LK, LLC, and WCPP-CT, LLC, the current Lessee.

This action will allow the Los Angeles County Flood Control District to amend Lease Agreement No. 25970 to extend the term for an additional ten years and update the language of the existing Lease to provide cost-of-living adjustments to the District and to preserve the District's purposes of flood control, watershed management, and water conservation. The Lessee requested the lease extension to secure financing of its adjacent retail development.

The current Lease did not provide for annual cost-of-living adjustments, and the language contained in the Amendment clarifies and enhances the ability of the District to maintain and upgrade its facility.

#### **Implementation of Strategic Plan Goals**

This action is consistent with the Strategic Plan Goals of Fiscal Responsibility and Service Excellence. The revenue from the Lease will be used for the District's purposes. Overall, the residents and business community will benefit from the commercial and retail services provided by the continued existence of the development.

#### **FISCAL IMPACT/FINANCING**

The Lessee was charged \$2,500 for this Amendment. This amount has been paid and deposited into the Flood Control District fund.

The current Lease provides for only one rent increase to occur on April 26, 2005. The proposed Amendment provides that the rent shall be adjusted annually based on the Consumer Price Index for all Urban Consumers and reappraised by the District every five years thereafter.

#### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Amendment has been approved by County Counsel as to form and will be recorded.

#### **ENVIRONMENTAL DOCUMENTATION**

The approval and execution of the enclosed Amendment do not constitute a project or the approval of a project pursuant to Section 301 of the County's Environmental Document Reporting Procedures and Guidelines. Consequently, the recommended actions are not subject to the requirements of the California Environmental Quality Act.

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**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

None.

**CONCLUSION**

This action is in the District's interest. Enclosed are three originals of the First Amendment to Lease 25970. Please have all originals signed by the Chairman and acknowledged by the Executive Officer of the Board of Supervisors. Please return two executed originals to this office, retaining one original for your files. One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES  
Director of Public Works

WDS:bw  
1133CBRDLTR

Enc.

bc: Chief Administrative Office  
County Counsel